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Attorneys for Plaintiff  
SPANSION LLC

Other Counsel Appear on Signature Page

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SPANSION LLC, a Delaware corporation,  
  
Plaintiff,  
  
v.  
  
MACRONIX INTERNATIONAL CO., a  
Taiwan corporation, and MACRONIX  
AMERICA, INC., a California corporation,  
  
Defendants.

CASE NO. C 06-1733 MJJ

**STIPULATION AND ~~PROPOSED~~  
ORDER ON ACCEPTANCE OF  
SERVICE AND EXTENDING TIME  
TO RESPOND TO THE COMPLAINT**

**STIPULATION**

Counsel for the parties in the above entitled action have conferred regarding preliminary issues in this case. These issues include effecting valid service of process on defendant Macronix International Co., and the deadline for defendants to respond to the Complaint. In order to promote the timely and orderly prosecution of this case, the parties, through their undersigned counsel, have agreed as follows:

STIPULATION AND ~~PROPOSED~~ ORDER ON  
ACCEPTANCE OF SERVICE AND EXTENDING TIME  
TO RESPOND TO THE COMPLAINT - 1

C 06-1733 MJJ

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- (1) Counsel for the defendants, Gibson, Dunn & Crutcher LLP and Glenn K. Beaton, Esq., are authorized to and have agreed to accept service of process of the Summons and Complaint in this case on behalf of Macronix International Co. This acceptance of service of process and entry into this Stipulation shall not constitute a waiver of the defendants' right to contest personal jurisdiction, and entry into the foregoing Stipulation by Macronix International Co. and entry of this Order shall not constitute a general appearance, all rights to contest jurisdiction being expressly reserved.
- (2) Defendants Macronix America, Inc. and Macronix International Co. shall have an extension of the 20-day deadline to respond to the Complaint. The deadline for defendants to respond to the Complaint shall be continued to May 26, 2006.

IT IS SO STIPULATED.

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Dated: March 24, 2006 By: /s/  
Steven J. Johnson  
Attorneys for Defendant,  
MACRONIX AMERICA, INC.  
and Specially Appearing for Defendant,  
MACRONIX INTERNATIONAL CO.

STIPULATION AND ~~PROPOSED~~ ORDER ON  
ACCEPTANCE OF SERVICE AND EXTENDING TIME  
TO RESPOND TO THE COMPLAINT - 2

C 06-1733 MJJ

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Dated: March 24, 2006 By: /s/

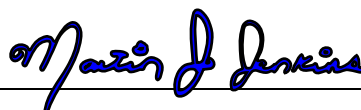
Douglas B. Greenswag  
Attorneys for Plaintiff

ORDER

The Court, having reviewed the Stipulation and Proposed Order and supporting declaration, and being fully advised of the premises, finds good cause for approving the Stipulation. Accordingly, the Court does hereby find and ORDER:

- (1) Counsel for the defendants, Gibson, Dunn & Crutcher LLP and Glenn K. Beaton, Esq. have validly accepted service of process of the Summons and Complaint on behalf of Macronix International Co. This acceptance of service does not constitute a waiver of the defendants' right to contest personal jurisdiction, and entry into the foregoing Stipulation by Macronix International Co., and entry of this Order shall not constitute a general appearance, all rights to contest jurisdiction being expressly reserved.
- (2) The deadline for defendants to respond to the Complaint is hereby continued to May 26, 2006.

Dated: March 27, 2006



Honorable Martin J. Jenkins